



Docket No. 2024730-7012953001
269/060 (20104.02)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit: 3761
)	
Ivan Sepetka, et al.)	Confirmation No.: 9172
)	
Serial No.: 09/730,215)	Examiner: G. Dawson
)	
Filed: December 5, 2000)	
)	
For: IMPLANT DELIVERY ASSEMBLY)	
WITH EXPANDABLE)	
<u>COUPLING/DECOUPLING MECHANISM</u>)	

PETITION FOR EXTENSION OF TIME (One Month)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

Applicants submit this petition and fee for extension of time for **one month** for the above identified application. Applicants respectfully note the following:

In response to the Final Office Action mailed March 30, 2004, Applicants timely submitted a Response After Final on May 6, 2004 to the United States Patent and Trademark Office, i.e., *within two months from the date of the mailing of the Final Office Action*.

However, an Advisory Action was not mailed until August 18, 2004, well after the shortened statutory period of three months had expired.

According to the MPEP 706.07 (f), *"If the Examiner, however, does not mail an Advisory Action until **after** the end of the 3-month period, the **shortened statutory period** will*

08/30/2004 MBELETE1 00000044 502518 09730215
02 FC:1251 110.00 DA

expire on the date the Examiner mails the Advisory Action and any extension of time fee would be calculated from the mailing date of the Advisory Action”

As such, the extension of time is properly calculated from the mailing date of the Advisory Action (8/18/04), and just one month extension fee is required.

Although no additional fee is believed to be required, the Commissioner is hereby authorized to charge any fee which may be required, or credit any overpayment to Deposit Account No. 50-2518.

Dated: 8/24/04

Respectfully submitted,
BINGHAM McCUTCHEN LLP

By: DT Burse
David T. Burse
Reg. No. 37,104

Customer Number
23639
PATENT TRADEMARK OFFICE

BINGHAM McCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400